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9 **UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**  
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12 Case No. 3:07-cv-05889-MMC

13  
14 GEORGE FISHER

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16 Plaintiff,

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22 v.

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25 SMITHKLINE BEECHAM  
26 CORPORATION  
27 d/b/a GLAXOSMITHKLINE and  
28 MCKESSON CORPORATION

29  
30 Defendants

PLAINTIFF'S AMENDED  
NOTICE OF HEARING  
FOR MOTION  
TO REMAND

HEARING:  
DATE: January 24, 2008  
TIME: 10:00 A.M.  
COURTROOM: 1  
JUDGE: Magistrate Judge Maria-Elena James

**AMENDED NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that on January 24, 2008, at 10:00 A.M., or as soon thereafter as the matter may be heard in Courtroom 1 of the above entitled Court, located at 450 Golden Gate Avenue, San Francisco, CA 94102, Plaintiffs will move the Court to remand this action to the SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR AND IN THE COUNTY OF SAN FRANCISCO, NORTHERN DISTRICT. This remand is proper as no diversity exists among the parties as required by 28 U.S.C. § 1132 and there is no substantial federal question requiring federal jurisdiction.

This motion will be based on Plaintiffs' Motion for Remand, with supporting Memorandum of Points and Authorities.

Dated: December 3, 2007

/s/

David C. Andersen (Bar No. 194095)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 3, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Donald. F. Zimmer  
Krista Cosner  
Drinker Biddle & Reath LLP  
50 Fremont Street, 20<sup>th</sup> Floor  
San Francisco, CA 94105

Dated: December 3, 2007

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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